

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Precious Jefferson,)	
)	
Plaintiff,)	C/A No. 6:08-cv-3728-GRA-WMC
)	
vs.)	
)	
Chestnut Group, Inc. and)	
Springmaster, Inc.,)	
)	<u>ORDER</u>
Defendants.)	
)	

This matter is before the Court for a review of the magistrate's Report and Recommendation made in accordance with 28 U.S.C. § 636(b)(1)(A) and Local Rule 73.02(B)(2)(g), D.S.C. filed January 5, 2009. Plaintiff brings this action alleging that her employer discriminated against her based on her race, sex, and pregnancy and retaliated against her for engaging in protected activity in violation of Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e, *et seq.*)(first count). The plaintiff alleges three other causes of action including a violation of public policy (second count), hostile work environment and wrongful discharge in violation of public policy of South Carolina, Title VII and the South Carolina Human Rights Act (third count) and retaliation in violation of Title VII (fourth count).

Defendants Chestnut Group and Springmaster moved for partial dismissal pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure on November 14, 2008. The magistrate recommends granting the motion and dismissing count two and a portion

of count three. The magistrate also recommends denying the request for cost and fees. For the reasons stated herein, the Court adopts the magistrate's Report and Recommendation in its entirety.

The magistrate makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Matthews v. Weber*, 423 U.S. 261, 270-71 (1976). The Court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the Court may accept, reject or modify, in whole or in part, the recommendation of the magistrate, or recommit the matter to him with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections to the Report and Recommendation, this Court is not required to give any explanation for adopting the recommendation. *Camby v. Davis*, 718 F.2d 198 (4th. Cir. 1983). The parties filed no objections to the Report and Recommendation.

After a review of the magistrate's Report and Recommendation, this Court finds that the report is based upon the proper law. Accordingly, the Report and Recommendation is accepted and adopted in its entirety.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of the magistrate is accepted and adopted as the Order of this Court.

IT IS FURTHER ORDERED that the motion for partial dismissal be GRANTED and the defendants request for cost and fees be DENIED.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "G. Ross Anderson, Jr.", written over a horizontal line.

G. ROSS ANDERSON, JR.
UNITED STATES DISTRICT JUDGE

February 6, 2009

Anderson, South Carolina